

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 24-mj-1167

Xinjie WANG a/k/a Sin Chic WANG

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about July 11, 2024, in the County of Niagara, in the Western District of New York, the defendant, **Xinjie WANG a/k/a Sin Chic Wang**, an alien, who previously had been deported and removed from the United States on or about July 25, 2005, was found in the United States of America, subsequent to the conviction for a felony, without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

All in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

This Criminal Complaint is based on these facts:


☒ Continued on the attached sheet.


Complainant's signature

WILLIAM J. SCHOENROCK
ENFORCEMENT OFFICER
U.S. CUSTOMS AND BORDER PROTECTION
Printed name and title

Sworn to before me and signed telephonically.

Date: July 24, 2024


Judge's signature

City and State: Buffalo, New York

HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE
Printed name and title

I, **William J. Schoenrock**, having been first duly sworn, do hereby depose and state as follows:

2. As part of my current duties, I have become involved in an investigation of suspected violation of Title 8, United States Code, Section 1326(a) and (b)(1).

3. I make this affidavit in support of the annexed criminal complaint charging **Xinjie WANG**, also known as Sin Chic WANG (hereinafter referred to as "**WANG**") an alien, born 1974, in the Peoples Republic of China, with being found in the United States without the expressed consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, after having been previously convicted of a felony

and subsequently deported or removed from the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

4. This affidavit is being submitted for the limited purpose of securing a Criminal Complaint. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **WANG** did knowingly violate Title 8, United States Code, Section 1326(a) and (b)(1).

5. On or about July 11, 2024, at approximately 3:25 p.m., at the Lewiston New York port of entry, in the County of Niagara, Western District of New York, **WANG** was encountered by CBP officers while traveling in a vehicle bearing State of Massachusetts registration containing two individuals. CBP Officer N. Licata was assigned to auto primary inspection duties and reported that **WANG** indicated that they had mistakenly entered onto the bridge toward Canada and made a U-turn. **WANG** was found to be the subject of an immigration lookout and, as part of normal procedure, was escorted to secondary for further inspection.

6. CBP Officer S. So commenced the secondary inspection and reported that **WANG** admitted that he entered the United States in 2017 across the U.S.-Mexican border without being inspected. Officer So conducted an electronic search of **WANG**'s fingerprints in FBI and immigration databases ("IAFIS") to verify his identity and any immigration history he may have in the United States. The fingerprint search revealed that **WANG** was

an identical biometric match to FBI number 189834XXX and immigration fingerprint identification number 19480XXX. Records associated to the indexed FBI number referenced a felony conviction in December 2003, in United States District Court for the Middle District of Tennessee for a violation of Title 18, U.S.C. §1546 (Misuse of Passports/Visas). The FBI record also referenced an arrest by Immigration and Customs Enforcement (“ICE”) agents in December 2003 in Oakdale, Louisiana. The immigration fingerprint identification number also referenced **WANG**’s December 2003 arrest by ICE agents in Louisiana and removal to the People’s Republic of China on or about July 25, 2005. The FBI and immigration fingerprint identification records both referenced alien file number A070 886 XXX.

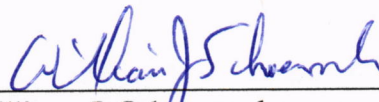
7. Immigration electronic records associated to alien file number A070 886 XXX confirmed that **WANG** was previously Ordered Removed from the United States to China by an immigration judge in Oakdale, Louisiana in December 2004, for having entered the United States without inspection and for having been convicted of a crime involving moral turpitude.

8. Your affiant, on or about July 21, 2024, received electronically from the National Records Center copies of deportation documents from alien file number A070 886 XXX. Included were immigration forms I-205 Warrant of Removal/Deportation, and I-294 Warning to Alien Ordered Removed or Deported. Immigration form I-205 contained **WANG**’s photograph, right index fingerprint impression and signature verifying his deportation to the People’s Republic of China on or about July 25, 2005. Immigration form I-294 provided a warning to **WANG** that he is prohibited from entering, attempting to enter,

or being found in the United States without the express consent of the Attorney General of the United States.

9. A review of electronic immigration benefit records and a review of alien file A070 886 XXX failed to show that **WANG** had applied for or received requisite permission from the Attorney General or the Secretary for the Department of Homeland Security to reenter the United States.

WHEREFORE, I respectfully submit the foregoing facts to establish probable cause to believe that on or about July 11, 2024, **Xinjie WANG**, an alien, was found in the United States after having been previously deported or removed from the United States, without the requisite permission from the Attorney General of the United States or the Secretary for the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(a) and (b)(1). I respectfully request the Court issue the attached criminal complaint and arrest warrant.



William. J. Schoenrock
Enforcement Officer
U.S. Customs and Border Protection

Sworn to and subscribed telephonically to
me this 24th day of July 2024.



Honorable Jeremiah J. McCarthy
United States Magistrate Judge